

SEP 30 2019Clerk, U.S. Courts
District Of Montana
Missoula DivisionIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON BEST GORDON,

Defendant.

CR 19-46-BLG-DLC

ORDER

A Before the Court is Defendant Brandon Best Gordon's Rule 17(b) Motion for Service of Subpoenas. (Doc. 37.) Gordon seeks to subpoena Keyshaun Frank Left Hand, a witness to the events leading to Gordon's indictment.

Indigent defendants are entitled to have subpoenas issued without cost if they show that they cannot pay the associated fees and costs, and that the witnesses or documents are necessary for an adequate defense. Fed. R. Crim. P. 17(b)-(c)(1). Hughes has previously established that he is indigent. Gordon represents, and the Court agrees, that Keyshaun Frank Left Hand's presence at trial is reasonably necessary. *See United States v. Smith*, 924 F.2d 889, 895 (9th Cir. 1991).

Accordingly, IT IS ORDERED that the motion (Doc. 30) is GRANTED.

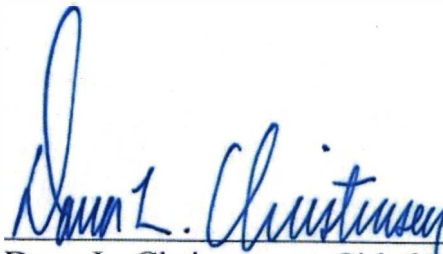
The Clerk's Office shall send the subpoena to the U.S. Marshal's Service for service.

In accordance with Fed. R. Crim. P. 17(b) & (d), the U.S. Marshals Service, or any other appropriate entity who is at least 18 years old and a nonparty to this matter, shall effect service upon:

Keyshaun Frank Left Hand.

IT IS FURTHER ORDERED that the United States Marshals Service shall pay witness fees and expenses for Keyshaun Frank Left Hand to testify at the trial set for October 15, 2019 in Billings, Montana.

DATED this 30th day of September, 2019.



Dana L. Christensen, Chief District Judge
United States District Court